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Docket Number	50018A
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Melissa Hardy	<i>Melissa Hardy</i>	April 30, 2002
Type or Print Name		Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: PASCAL ET AL.	GROUP ART UNIT: 1638
SERIAL NO.: 10/087,167	EXAMINER: Not Yet Assigned
FILED: March 1, 2002	CONFIRMATION NO.: 4256
FOR: CONTROL OF GENE EXPRESSION IN PLANTS	

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

**PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN
ON EXPRESS MAIL LABEL "DATE-IN"
(37 C.F.R. § 1.10(c))**

1. This is a petition to accord the correspondence in the above-identified application the "date-in" of October 24, 2001 shown on the Express Mail Label No. ET327549134US.

It is respectfully contended that the date of March 1, 2002 accorded this correspondence by the United States Patent and Trademark Office is incorrect.

2. The discrepancy was discovered upon review of the Filing Receipt, a copy of which is enclosed, dated April 22, 2002. This petition is being filed promptly thereafter. 37 C.F.R. § 1.10(c)(1).

Adjustment date: 08/02/2002 AKELLEY
05/08/2002 SLUANG1 00000004-10087167
01 FC:122 -130.00 OP
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3. Attached is a true copy of the first page of the correspondence which was filed, showing both the date of which this correspondence was mailed as Express Mail Label No.

ET327549134US and that the number of the Express Mail was placed thereon prior to mailing.
37 C.F.R. § 1.10(c)(2).

4. Attached is a true copy of the "Express Mail" mailing label showing the "date-in" of October 24, 2001. 37 C.F.R. § 1.10(c)(3).

5. Please charge the petition fee of \$130.00 to Applicant's credit card. A Credit Card Payment Form is enclosed for processing.

Respectfully submitted,



Signature of Practitioner

Date: 4-30-02

Randee Schwartz, Reg. No. 45,085

Type or print name of person signing

Syngenta Biotechnology, Inc.

3054 Cornwallis Road

P.O. Box 12257

Research Triangle Park, NC 27709-2257

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>8-2-02</u>		2 Serial/Patent # <u>10/087,167</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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